

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:08-CR-72-BO

UNITED STATES OF AMERICA

v.

JEREMY ALEXANDER DOE

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ORDER

This matter is before the Court on defendant's motion to obtain copies of court documents without payment. [DE 34]. For the following reasons, defendant's motion must be denied.

The Fourth Circuit requires indigent defendants to show a "particularized need" for requested documents prior to being provided with copies at government expense. *United States v. Holloman*, 2013 U.S. Dist. LEXIS 99748, *3 (E.D.N.C. Jul. 17, 2013); *see also* 28 U.S.C. § 753(f) (the United States shall pay the fee for a transcript where an action under § 2255 has been certified not to be frivolous). An indigent defendant is not entitled to a transcript at government expense in order to "merely [] comb the record in the hope of discovering some flaw." *United States v. Glass*, 317 F.2d 200, 202 (4th Cir. 1963). Defendant has not provided any justification to receive the requested documents at government expense other than his intent to file a 28 U.S.C. § 2255 motion. Accordingly, in the absence of any demonstration otherwise, it appears defendant seeks merely to "comb the record." Because he has not shown a "particularized need," defendant's motion to receive court documents without payment [DE 34] is DENIED.

SO ORDERED, this 18 day of March, 2019.


TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE